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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22648-2019
Date of decision-28.05.2019

Jujhar Singh @ Jodha

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.S.Sekhon, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab assisted by
ASI Jugraj Singh.

MANOJ BAJAJ, J.

Petitioner-Jujhar Singh @ Jodha has prayed for grant of regular bail in case FIR No.131 dated 02.07.2017 under Sections 22, 61 and 85 of Narcotic Drugs and Psychotropic Substances Act, 1881 registered at Police Station Ghall Khurd, District Ferozepur.

On 02.07.2017, when the Police party was on patrol duty, a young man was coming from G.T.Road Ferozeshah. Upon seeing police, he turned backward. Then police officers apprehended him and after formalities, the search was conducted. A polythene bag was found from the right side of kurta and upon search 1130 tablets of alprazolam anakclin 0.5 were recovered.

Learned counsel for the petitioner contends that on 29.08.2017 interim regular bail was granted to Jujhar Singh as FSL report was awaited

and the said concession was never misused till 03.12.2018, when petitioner was sent in custody, upon filing of FSL report. It is further contended that the petitioner is suffering from heart ailment and is admitted to hospital. He further contends that the petitioner is not involved in other case of similar nature.

On the other hand, learned State counsel assisted by ASI Jugraj Singh opposed the bail application. Further, short affidavit of Baljeet Singh, Superintendent, Central Jail, Ferozepur has been filed on behalf of respondent-State and the same is taken on record. It indicates that the petitioner was admitted to jail hospital and post operative treatment has also been given. It is further apprised that only 02 prosecution witnesses have been examined out of total 08 witnesses.

Considering the above and the pace at which the trial is progressing, this Court is of the opinion that further detention of the petitioner is not justified. Therefore, without meaning any expression of opinion on the merits of the case petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Ferozepur.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

28.05.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No